

Applicant	Lucky 13, LLC. / Lofts on Las Olas	
Request	Site Plan Level III Review / Conditional Use for Mixed Use Development / 28 Multi-family units with Flex Allocation / 8,631 SF Retail / 1,800 SF Restaurant with 200 SF outdoor dining space	
General Location	NW Corner of E. Las Olas Boulevard and S.E. 15 th Avenue	
Legal Description	Lots 12, 13, 14, 15 and 16, Block 33, Colee Hammock, according to the plat thereof as recorded in P.B. 1, P. 17, of the Public Records of Broward County, Florida, less the South 10.00 feet of said Lots 12, 13, 14, 15 & 16.	
Property Size	25,000 SF / .57 Acres	
Zoning	Boulevard Business District (B-1)	
Existing Use	One-story structure, two-story structure, and asphalt parking	
Future Land Use Designation	Commercial	
Comprehensive Plan Consistency	Consistent with Future Land Use Element, Permitted Uses, when flexibility units are allocated.	
Applicable ULDR Sections	47-18.21 Mixed Use Development 47-24.3 Conditional Use 47-25.2 Adequacy Requirements 47-25.3 Neighborhood Compatibility Requirements 47-28.1 Flexibility Requirements	
Setbacks/Yards Corner (E) Side (W) Front (S) Rear (N)	Required	Proposed
	5' *	18' for 1 st 14' / 13' above 14'
	0'	5'
	5' *	5' for 1 st 14' / 0' above 14'
	15'	15'
Lot Density	50 units /gross acre Max. ** = 46 units Max. / .92 gross acre	31 units /gross acre (49 units / net acre)
Lot Size	10,000 SF Min.	25,000 SF
Lot Width	100' Min.	100'
Building Height	150' Max.	108'
Structure Length	NA	232'
Floor Area	400 SF /unit	650 SF (smallest unit)
Open Space	4,200 SF	9,397 SF
Landscape Area	2,100 SF	3,701 SF
Parking	111	117
Notification Requirements	Sign Notice 15 days prior to meeting	
Action Required	Approve, Approve with Conditions or Deny the application	
Project Planner Authorized By Approved By	Name and Title	Initials
	Ella Parker, Planner II	
	Gregory Brewton, Acting Planning and Zoning Deputy Director	
	Marc LaFerrier, AICP, Planning and Zoning Director	

* As per ULDR Sec. 47-6.20, *Table of Dimensional Requirements –Business Zoning Districts*, where the height of a building in a business zoning district exceeds nine (9) feet measured from the ground floor elevation, that portion of the building may extend into the front yard area.

** As per ULDR Sec. 47-2.2. *Measurements*, Gross acre is used for the purpose of calculating the maximum density permitted on a parcel when applying flexibility units.

Request:

Conditional use permit for mixed-use development on a commercially designated land use parcel, with allocation of residential flexibility units.

Property/Project Description:

The applicant proposes to construct a mixed-use development of twenty-eight (28) multifamily residential units, 8,631 square feet of retail space, and 1,800 square feet of restaurant space with 200 SF of outdoor dining space, at the northwest corner of E. Las Olas Boulevard and S.E. 15th Avenue.

Prior Reviews:

The proposal was reviewed by the Development Review Committee (DRC) on May 24, 2005. The applicant's responses to the DRC comments are attached as **Exhibit 1**.

Mixed-Use:

As per ULDR *Sec. 47-18.21.D.*, mixed-use developments may be permitted on commercial land use designated parcels, subject to the availability of residential flexibility units, and the requirements of a conditional use permit. The applicant has provided a narrative addressing these criteria, attached as **Exhibit 2**.

Flexibility Units:

As per *Sec. 47-28.1.K*, the City may allocate flexibility units for mixed-use development, through approval of a mixed-use development, as provided in *Sec. 47-18.21*. This project will require the allocation of twenty-eight (28) residential flexibility units. The property is located in Flex Zone 49, where one thousand, one hundred and sixty-nine (1,169) units are currently available. If the applicant is granted this request, one thousand, one hundred and forty-one (1,141) residential flexibility units will remain.

Conditional Use:

The mixed-use development is subject to the conditional use permit criteria as defined in *Sec. 47-24.3*. A conditional use permit shall not take effect nor shall a building permit be issued until thirty (30) days after approval, and then only if no motion is adopted by the City Commission seeking to review the application.

Adequacy and Neighborhood Compatibility:

The applicant has submitted narratives regarding the project's compliance with *Sec. 47-25.2, Adequacy Requirements* and *Sec. 47-25.3, Neighborhood Compatibility Requirements*, attached as **Exhibit 3**.

Parking and Traffic:

Vehicular access to the development is provided from SE 15th Avenue. Loading access is provided via the existing 10' alley in the rear of the property. As per *Sec. 47-20, Parking and Loading Requirements*, a total of one hundred and eleven (111) parking spaces are required for the proposed use. Fifty-six (56) parking spaces (2 parking spaces per unit) are required for the proposed residential units, thirty-five (35) parking spaces (1 space per 250 square feet of gross floor area) are required for the retail use, and twenty (20) parking spaces (1 parking space per 100 square feet of gross floor area, including outdoor dining area) are required for the restaurant use. The applicant is proposing one hundred and seventeen (117) parking spaces.

A traffic impact analysis was prepared by the applicant's traffic consultant, Hughes Hughes Inc., attached as **Exhibit 4**. The City's engineering representative concurs with the applicant's assessment.

Comprehensive Plan Consistency:

The proposed project is consistent with the City's Comprehensive Plan. Residential uses are permitted on commercial land use, without the need to amend the Land Use Plan Map, provided that the City applies flexibility units and meets criteria as defined in *Chapter 2, Future Land Use Element - Permitted Uses, B. Commercial Use*, of the Comprehensive Plan. This project will require the allocation of twenty-eight (28) residential flexibility units and meets criteria of subsection *B.9.b*; the first floor area of the mixed-use development is totally confined to commercial uses.

Broward County School Board Interlocal Agreement:

This proposal is subject to the provisions of the Broward County School Board Inter-local Agreement, between the City of Fort Lauderdale and the Broward County School District regarding public school facility planning. A letter from the School Board to the applicant, and the applicant's response letter are attached as **Exhibit 5**.

Broward County Neighborhood Compatibility Review:

In accordance with the requirements of the *Broward County Land Use Plan*, a development proposal located west of the 'urban infill' line, which utilizes flexibility provisions and has a proposed density of more than twenty-five (25) dwelling units per acre, is required to undergo compatibility review by the Broward County Commission. After the City completes its land development review process, the applicant will have to submit the proposal to the County for compatibility review.

Staff Determination:

Mixed-use developments may be permitted on commercial land use designated parcels, subject to the availability of residential flexibility units, and the requirements of a conditional use permit, contingent upon neighborhood compatibility criteria. Staff review and analysis finds that the proposed project is inconsistent with the criteria for Neighborhood Compatibility and Preservation pursuant to *Sec. 47-25.3.A.3.e*.

The Lofts on Las Olas project is proposed along the north side of Las Olas Boulevard, approximately two blocks east of the Hammershee Canal or S.E. 12th Avenue, and two blocks west of S.E. 17th Avenue. The applicant intends to construct a 10-story, 232' long mixed-use building, with retail space on the ground floor, three levels of parking above, and twenty-eight (28) residential units on the remaining six floors.

The building is not compatible in regard to the height, length, mass and scale in relation to the established character along Las Olas Boulevard and the surrounding Colee-Hammock neighborhood. The existing zoning designation of Boulevard Business (B-1), where the project is proposed, permits a maximum height of 150'. However, depending on the request, proposed projects are subject to many other criteria that influence their design. In the applicant's case, the proposed project is subject to, among other standards, neighborhood compatibility criteria.

As illustrated on the applicant's elevation study, the proposed project is not consistent with the building pattern along Las Olas Boulevard. The development pattern along Las Olas offers a unique experience and has proven to be a successful, stable and sustainable urban environment.

The pattern includes mostly lower scale one and two-story structures, with the exception of a few taller four to five-story buildings in the nearby vicinity, which fall under different review criteria due to their use and zoning. In addition, the individual existing buildings along Las Olas have small variations in height and collectively create an interesting and cohesive pedestrian environment, as opposed to a single massive structure. Furthermore, the existing character does not include exposed, albeit camouflaged parking. Although screened with a landscaping material, the three levels of parking emphasize the building's long linear form.

The proposed project is also not compatible with the surrounding primarily lower-scale multi-family and single-family neighborhood of Colee Hammock. The properties directly behind the project are zoned RM-15 (Residential Low Rise Multifamily/Medium Density) and RC-15 (Residential Single Family/Cluster Dwellings/Low Medium Density District). Both of these districts limit proposed height to a maximum of thirty-five (35) feet and include buildings of a much lower mass and scale.

In conclusion, although the proposed project addresses the standards of adequacy and mixed-use development, as proposed it does not meet the criteria of neighborhood compatibility and preservation.

Planning and Zoning Board Review Option:

If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for Site Plan Level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the Site Plan Level III permit.

If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the Site Plan Level III permit.

Should the Board approve the proposed development, the following conditions are proposed by staff:

1. Site plan approval shall be valid as provided in ULDR *Sec. 47-24.1.M.*
2. The applicant shall provide documentation of agreement with the Broward County School Board, regarding potential impacts for public school facility planning through a recorded restrictive covenant, prior to final site plan approval.
3. Final DRC approval.